



**MINUTES
BOARD OF NURSING
FULL BOARD MEETING
WEDNESDAY, AUGUST 1, 2007**

MEMBERS PRESENT: SHARON PAPPAS, RN, PHD, PRESIDENT; JUDITH BURKE, RN, NP, VICE PRESIDENT; CANDACE BERARDINELLI, RN, PHD, PEGGY BUNKE, RN, NP; TONI GIBBONS, LPN; JOHN KLEINHEKSEL, JD; VICTORIA BROERMAN, RN; SANDRA SUMMERS, RN; AND BETTY WOLFE, LPN

MEMBERS ABSENT: JANET PUGLISI, RN AND THOMAS KANAN, JD

PRESIDING: JUDITH BURKE, RN, NP, VICE PRESIDENT

COUNSEL: SUSAN PROSE, ASSISTANT ATTORNEY GENERAL

STAFF: MARK MERRILL, PROGRAM DIRECTOR

1. Convene and Roll Call (9:06 A.M.)

Judith Burke, RN, Vice President, called the meeting to order and conducted a roll call of the Board members present. All members were present except as noted:

- Vicki Broerman arrived at 9:10 A.M.
- Janet Puglisi, RN, Absent, Excused
- Thomas Kanan, JD, Absent, Unexcused

2. Approval of Minutes (9:12 A.M.)

The Board noted a few clarification changes to the minutes and then a Motion was made, seconded, and carried to approve the April 25, 2007 Full Board meeting minutes as amended.

3. Program Director's Report (9:13 A.M.)

Mark Merrill, Program Director, requested that the use of cell phones during the course of the meeting be taken out to the elevator area or lobby so as not to disturb offices around the meeting room.

Director Merrill noted the recycle bins that had been placed by the door for the public's use in accordance with the Governor's encouragement for a more environmentally friendly state government.

Director Merrill introduced a new Board of Nursing staff member; Shannon St. Hilaire, Program Inspector for the Nurse Aide training programs.

Director Merrill noted that the open Board of Nursing position of Complaints Supervisor had been reclassified and that interviews for the position would begin soon.

Director Merrill noted his attendance of the Executive Officer Seminar in Lake Tahoe where he participated in leadership development and networking with other State Boards of Nursing.

Director Merrill noted the work done by Ann Marie Sonntag and fellow Board of Nursing staff in developing the templates for practice monitoring plans. He acknowledged noted the effort put into developing these templates.

Director Merrill informed the Board that the implementation of the Multi-state Nurse Licensure Compact was underway and that it would become effective October 1, 2007. He told the Board of the

delay in transitioning to the new computer system, My Licensure, resulting in the 2007 RN renewal being completed on the current computer system, DLS. He informed the Board that renewal notices for the 2007 RN renewals were targeted for mailing on August 20th.

Director Merrill informed the Board that the development team would be meeting and that the Fiscal Year '08 strategic plan would be presented to the Board at the next Full Board meeting.

Director Merrill informed the Board of upcoming Rulemaking Hearings that would be scheduled for the next Full Board meeting for the Chapter IX Rules regarding LPN IV Authority and the Chapter XI Rules regarding approval of nurse aide training programs.

Director Merrill informed the Board that he and Sandy Summers would be attending the annual National Council of State Boards of Nursing (NCSBN) meeting in Chicago as the representing delegates from Colorado.

Director Merrill informed the Board that Sharon Pappas, RN, PhD, had decided to step down as Board President due to other commitments and time constraints and that she would be resuming her duties as a member of Panel B.

4. Board Elections (9:22 A.M.)

After discussion, a Motion was made, seconded and carried to elect Sandra Summers, RN as President and Candace Berardinelli, RN, PhD, as Vice President of the Board of Nursing.

5. Rulemaking Hearing: Chapter XIII – Rules and Regulations for the Delegation of Nursing Tasks (9:28 A.M.)

At 9:28 A.M., the Board convened a public rulemaking proceeding to consider, pursuant to notice, proposed changes to the Chapter XIII Rules.

Written testimony was received and reviewed by the Board prior to the Rulemaking hearing from:

A. Clifford A. Bloch, M.D., Pediatric Endocrinologist

B. Kathleen Patrick, RN, MA, NCSN,
Principal Consultant – School Health Services

C. *Barbara Davis Center for Childhood Diabetes*
Marian Rewers, M.D., Ph.D., Clinical Director
Georgeanna J. Klingensmith, M.D., Director, Pediatric Clinic
Robert H. Slover, M.D., Associate Director, Pediatric Clinic

D. *American Diabetes Association*
Steve Bieringer, Manager, Major Projects, Legal Advocacy

E. *Colorado Association of School Nurses*
Leah Wyckoff, RN, MS, BSN, President

1. Response to letter from Leah Wyckoff, President
Kathleen Patrick, RN, MA, NCSN, Principal Consultant – School Health Services

F. Edith Vick, RN, BSN, NCSN

G. *Adams 12 Five Star Schools Education Support Center*
Christopher E. Gdowski, General Council

H. E-mail from Charlotte, Brad, and Allison Smith

I. Barbara Draper, RN, BSN

J. *Jefferson County Public Schools*

Linda Buzard, Director Health Services Department

Oral testimony was given by the following speakers:

1. Leah Wyckoff, from Parker, Colorado, Executive Board, Colorado Association of School Nurses, Colorado Diabetes Collaborative, and school nurse in Douglas County Colorado.
2. Kathy Patrick, Principal Consultant – Health Services – Colorado Department of Education
3. Marilee Roybal Verdun and Chloe Verdun, American Diabetes Association advocate, and child with Type I Diabetes.
4. Larry Ballonoff, American Diabetes Association
5. Cathy White, Colorado Public Health and Environment.
6. Christine Perrault, The Children’s Hospital School Health Director Merrill
7. Linda Buzard, Jefferson County Public Schools
8. Robert Slover, MD, Pediatric Endocrinologist – Barbara Davis Center

At 10:10 A.M. public testimony was concluded and the public hearing was closed.

At 10:10 A.M. the Board entered into a work session to discuss proposed revisions.

At 10:53 A.M. the Board took a brief recess.

At 11:08 A.M. the Board reconvened the meeting and resumed discussing proposed changes in the work session.

At 11:46 A.M., after a full opportunity for submission of oral and written comments by the public at the August 1, 2007 Rulemaking Hearing, and after due consideration, a Motion was made, seconded and carried to adopt the revised Chapter XIII Rules, including the statement of basis, statutory authority, and purpose. The Chapter XIII Rules and Regulations for the Delegation of Nursing Tasks as adopted are attached and incorporated herein by this reference and became effective October 1, 2007.

6. Rulemaking Hearing: Chapter XX – Rules and Regulations for Multistate Nurse Licensure (11:48 A.M.)

At 11:48 A.M., the Board convened a public rulemaking proceeding to consider, pursuant to notice, propose Chapter XX rules.

There was not written or oral testimony received from the public.

Susan Prose, Assistant Attorney General noted a change in the General Authority Site to read, “C.R.S. 12-38-108(1),(4).” The Board noted this change.

At 11:50 A.M. public testimony was concluded and the public hearing was closed.

At 11:51 A.M. the Board entered into a work session to discuss possible revisions to proposed Chapter XX rules.

At 11:51 A.M., after a full opportunity for submission of oral and written comments by the public at the August 1, 2007 Rulemaking Hearing, and after due consideration, a Motion was made, seconded and carried to adopt the proposed Chapter XX Rules, including the statement of basis, statutory authority, and purpose. The Chapter XX "Rules and Regulations for Multistate Nurse Licensure" as adopted are attached and incorporated herein by this reference and became effective October 1, 2007.

7. Policy Changes (11:52 A.M.)

I. Proposed Policy 20-20 *Reporting Requirements* and repeal of the Chapter XVIII – *Rules and Rules and Regulations Regarding Reporting Requirements*

After discussion, a Motion was made, seconded and carried to adopt Board policy 20-20 *Reporting Requirements*, as amended, and to repeal the Chapter XVIII Rules and Regulations Regarding Reporting Requirements.

The repeal of the Chapter XVIII – *Rules and Regulations Concerning Reporting Requirements* became effective October 1, 2007.

II. Policy 20-09 *Review of Complaints Related to Nurses with Expired Licenses and Nurse Aides with Expired Certificates*

After discussion, a Motion was made, seconded and carried to add the following language to the "Purpose" section: "To provide efficiency in processing complaints involving expired licenses and expired certificates;" and to then adopt Policy 20-09 as amended.

III. Policy 20-12 *Procedures for Handling Complaints Involving Board of Nursing or Nurse Aide Advisory Committee (NAAC) Members*

After discussion, a Motion was made, seconded and carried to adopt Policy 20-12 as amended.

IV. Policy 20-16 *Urine Drug and Alcohol Screening Policy*

After discussion, a Motion was made, seconded and carried to change the language in section entitled Frequency to reflect, "Propose frequency 30-60 random urine samples per year for drug alcohol testing" and then adopt Policy 20-16 as amended.

V. Policy 20-19 *Public Disciplinary Documents*

After discussion, a Motion was made, seconded and carried to adopt Policy 20-19 as amended.

VI. Policy 40-06 *Nurse Aide Advisory Committee (NAAC), Authority and Purpose*

After discussion, a Motion was made, seconded and carried to adopt Policy 40-06 as amended.

8. Application for the Nurse Aide Advisory Committee (NAAC) (12:00 P.M.)

A Motion was made, seconded, and carried to approve the application of Jean Pollmiller, RN nominee for the Nurse Aide Advisory Committee to fill the position of the Registered Nurse who supervises Certified Nurse Aides vacated by Alice McBurney, RN.

9. Lunch (12:00 P.M.)

The Board recessed for one hour for lunch.

10. Presentation on Addiction and Nursing, Dorothy Faris M.D. (1:00 P.M.)

Dr. Faris presented information to the Board and the public on the topic of addiction and how it relates to the practice of Nursing.

11. Open Forum (2:30 P.M.)

1. Meg Brant, Concorde Career College – discussed topics relating to the outstanding items needed to complete the process for Concorde Career College's application for Phase II recognition.
2. Mike Feeley, Attorney representing CollegeAmerica – discussed topics relating to the outstanding items needed to complete the process for CollegeAmerica's application for Phase I recognition.
3. Deborah Banik, Dean of Health Sciences, Colorado Technical University – discussed topics relating to outstanding items needed to complete the process of Colorado Technical College's application for Phase II recognition.

12. Colorado Nurse Health Program (CNHP) Update (2:43 P.M.)

The Board reviewed a memorandum from Marjorie Derozier, CNHP Director regarding the financial reports for the fiscal year ending in June of 2007. Ms. Derozier discussed the implementation of the Rule Out Risk program and informed the Board that a year end report would be presented to the Board at their next regularly scheduled meeting.

Sharon Pappas, left the meeting at 2:51 PM.

13. Recess (2:55 P.M.)

The Board took a five minute recess and the meeting was reconvened at 3:00 P.M.

14. Nursing Education Reports (3:00 P.M.)

Phase I Applications

CollegeAmerica – ADN Program – PN Exit Option. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. After discussion, a Motion was made, seconded and carried to deny Phase I recognition.

Mile High Academy – PN Program. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. After discussion, a Motion was made, seconded and carried to deny Phase I recognition.

Phase II Applications

Academy of Medical and Health Sciences – PN Program. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. After discussion, a Motion was made, seconded and carried to deny Phase II recognition.

Colorado Technical University – ADN Program. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. After discussion, a Motion was made, seconded and carried to request Colorado Technical University address deficiencies that were outline by Ms. Hills in a letter to Colorado Technical University by August 31, 2007; and once those deficiencies were corrected to grant Phase II recognition.

Phase III Applications

Concorde Career College – ADN Program. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. After discussion, a Motion was made, seconded and carried to send a letter of concern. The Board also noted that Ms. Hills would be conducting a site visit to Concorde Career College in November 2007.

Denver School of Nursing – ADN Program – PN Exit Option. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. After discussion, a Motion was made, seconded and carried to grant continued interim approval once theory courses with clinical requirements have been reclassified and the deficiency as outlined by Ms. Hills is corrected.

Site Visits

San Juan Basin Technical College – PN Program. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. After discussion, a Motion was made, seconded and carried to grant continuing approval once San Juan Basin Technical College has corrected deficiencies identified by Ms. Hills at the site visit, during a period not to exceed one year.

Front Range Community College – Boulder Campus – PN to ADN Program. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. After discussion, a Motion was made, seconded and carried to continue full approval once Front Range Community College – Boulder Campus has corrected deficiencies identified by Ms. Hills at the site visit, during a period not to exceed one year.

AIMS Community College – Curriculum change from PN and ADN to ADN with PN – Exit Option. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. After discussion, a Motion was made, seconded and carried to approve the curriculum changes once the deficiencies as outlined by Ms. Hills have been corrected.

Pikes Peak Community College – ADN Program. The Board reviewed a memorandum from Roberta Hills, Nursing Education Specialist, and supporting documentation. The Board noted the change in Director of Nursing Education Program (DNEP) to Mary Nifong, RN.

Colorado Christian University submitted documents to Ms. Hills addressing deficiencies. The Board noted the Phase II recognition which was given in a letter sent on June 21, 2007, granting the program the ability to admit twenty two students bi-annually.

15. Nurse Aide and Other Education Reports (3:41 P.M.)

The following decisions made by Shannon St. Hilaire, Program Inspector were ratified by the Board:

Full Approval – CNA Training Programs:

- 5/02/2007- Workplace Language Career College
- 5/30/2007 – CNA Academy

Continued Full Approval CNA Training Program:

- 6/11/2007 Simla Good Samaritan Center

Active Interim Approval

- 5/22/2007 Pikes Peak Community College – Falcon Nurse Aide Training Program
- 5/24/2007 St. Vincent Nurse Aide Training Program

Deactivated Programs

- 5/24/2007 Sedgwick County
- 5/24/2007 Certification and Beyond
- 5/31/2007 North Shore
- 6/8/2007 Visiting Nurse Corps of Colorado
- 6/11/2007 AIMS Community College – Med Prep – Alcanzar
- 6/25/2007 Pioneer Health Care Center

Closed Programs

- 5/31/2007 Nursing: A New Beginning

Colorado Department of Public Health and Environment Loss

- 5/3/2007 Sterling Living Center
- 6/4/2007 Sunset Manor

16. Templates for Probationary Stipulations and Orders (3:43 P.M.)

The Board reviewed a memorandum from Ann Marie Sonntag, Enforcement Specialist, with attached proposed templates for the probation stipulations and final agency orders. After discussion, a Motion was made, seconded and carried to approve the templates and delegate the authority to the Office of the Attorney General to make the changes discussed during the meeting, as well as changes for the templates pertaining to Advanced Practice Nurses.

17. Quarterly Case Statistics Report – Office of the Attorney General

The Board noted the case statistics report from YE Scott, Assistant Attorney General.

There being no further business the Board of Nursing adjourned the meeting at 4:05 P.M.

Sandra Summers, RN, President
State Board of Nursing